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INFO RUCNARF/ASEAN REGIONAL FORUM COLLECTIVE PRIORITY

RUCNCLC/CHILD LABOR COLLECTIVE PRIORITY

RUEHXI/LABOR COLLECTIVE PRIORITY

RUCNCRI/VIENNA CRIME COLLECTIVE PRIORITY

RUEHFK/AMCONSUL FUKUOKA PRIORITY 6782

RUEHNAG/AMCONSUL NAGOYA PRIORITY 5261

RUEHNH/AMCONSUL NAHA PRIORITY 9167

RUEHOK/AMCONSUL OSAKA KOBE PRIORITY 0449

RUEHKSO/AMCONSUL SAPPORO PRIORITY 7378

RHMFIUU/DEPT OF HOMELAND SECURITY IA WASHINGTON DC PRIORITY

RUEHC/DEPT OF LABOR WASHINGTON DC PRIORITY

RUEAIAO/HQ ICE IAO WASHINGTON DC PRIORITY

RUEAWJA/JUSTICE DEPT WASHDC PRIORITY

RUEATRS/TREASURY DEPT WASHDC PRIORITY

UNCLAS SECTION 01 OF 10 TOKYO 000782

SIPDIS

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TAGS: [ELAB](#) [KCRM](#) [KWMN](#) [PHUM](#) [KFRD](#) [PREF](#) [SMIG](#) [JA](#)

SUBJECT: JAPAN SUBMISSION FOR TIP REPORT

REF: STATE 02731

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¶1. Embassy's point of contact on TIP issues is Political Officer Scott Hansen, Office Phone: 81 (3) 3224-5558, Fax: 81 (3) 3224-5322, Email: [hansensw@state.gov](mailto:hansensw@state.gov).

¶2. Embassy Tokyo has spent a total of 608 hours researching trafficking issues, conducting awareness-raising campaigns, drafting policy proposals, and coordinating with contacts over the past year, in support of this report. This total includes:

Ambassador, 20 hours

DCM, 8 hours

MC/POL 20 hours

01-level POL 10 hours

03-level POL 300 hours

FSN 08-level POL 250 hours

Total Embassy Tokyo on TIP, 608 hours

### ¶3. OVERVIEW OF JAPAN'S EFFORTS TO ELIMINATE TIP

Note: This report is keyed to Reftel and includes information from the Japanese government, international organizations (IOs), and nongovernmental organizations (NGOs).

¶4. Japan was a destination country for women and children trafficked for commercial sexual exploitation. According to National Police Agency (NPA) statistics, there were 43 trafficking victims reported in 2007: 22 were from the Philippines, 11 from Indonesia, 5 from South Korea, and 4 from Thailand. The remaining victim was a Japanese national, the first Japanese citizen to be classified as a TIP victim by government authorities. Labor activists and victim shelters also reported labor exploitation cases tantamount to trafficking in persons. Commercial sexual exploitation of Japanese children remained a problem. According to NPA statistics, 773 Japanese children were either prostituted or exploited in child pornography during the first half of 2007.

It is possible that government data understates the magnitude

of human trafficking in Japan. Call logs from NGO-operated hotlines suggest that the number of victims being exploited was probably higher than the number of victims who self-identified or were identified by law enforcement officials. The fact that police and immigration officials did not have formal victim identification procedures casts further doubt on government statistics. Officials from a number of third-country embassies reportedly repatriated women otherwise classifiable as victims of human trafficking without Japanese government support because police and immigration officers did not recognize the women as victims. NGOs also reported cases of foreign laborers being forced to work under exploitative conditions, but government officials did not recognize any victims of labor trafficking, so trafficking statistics did not include any of these cases. Post was unable to verify any of these reports.

Trends in the sex industry also contributed to the difficulty in obtaining reliable statistics. In urban areas, police crackdowns on red-light businesses eliminated visible prostitution, making it extremely difficult to estimate the extent of exploitation. NGOs reported that the number of escort services increased, but there was no reliable evidence indicating whether these services exploited victims of trafficking.

**1B.** Although NGOs reported isolated cases of possible labor trafficking, human trafficking in Japan was most widely perceived as the employment of women as prostitutes under coercive conditions. Japan's large sex industry is comprised of a wide variety of businesses in which victims could potentially be exploited, including strip clubs, sex shops, massage parlors, hostess bars, private video rooms, escort services, and mail order video services.

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Brokers in the countries of origin recruited women and sold them to intermediaries or employers, who in turn subjected them to debt bondage and coercion. Traffickers strictly controlled the movements of victims, and threatened to punish them with violence if they tried to escape. Traffickers also maintained contact with brokers in the victims' home countries, using threats of violence against victims' families as further leverage. Traffickers that directly manage victims tend to be foreign nationals, often former victims themselves. Although the owners of bars were sometimes members of organized crime groups, and independent owners usually paid fees to these organizations, there was no evidence of systematic involvement in human trafficking by organized crime syndicates.

Traffickers consistently used debt bondage to control trafficking victims. According to shelter operators, before arriving in Japan trafficking victims rarely understood the size of the debts they would owe, the amount of time it would take them to repay the debts, or the conditions of employment to which they would be subjected. Women typically faced debts upon commencement of their contracts from \$29,000 to \$49,000 (three million to five million yen). In addition, they had to pay their employer for their living expenses, medical care (when provided by the employer), and other necessities. "Fines" for misbehavior added to the original debt over time and the process that the employers used to calculate these debts was not transparent. Employers also sometimes "resold," or threatened to resell, troublesome women or women found to be HIV positive, thereby increasing the victims' debts and often leading to even worse working conditions.

Brokers also used coercive psychological methods to control women. Traffickers who once relied on confiscating travel documents were forced by more sophisticated police investigation techniques to rely on less physically obvious methods of control. For example, brokers told victims that if they went to the police, they would be arrested, beaten, and

deported. Victims unfamiliar with Japan had no way of knowing that the stories were fabricated. According to one TIP researcher, some clubs waited three months before informing the women that they would have to sell sex to continue their employment. Because they wouldn't receive their wages until the end of the six-month stay, most women chose to "stick-it-out" and prostitute themselves rather than lose three months of investment. Even in hostess clubs that do not provide sexual services, punishing women who do not meet quotas compelled them psychologically to sleep with clients in order to persuade them to become regular customers.

Many foreign embassy officials and NGO representatives believe that human rights conditions improved for trafficking victims in Japan. International pressure, increased law enforcement activity, and the changing dynamics of Japan's sex industry may have led to an improvement in the treatment of trafficked sex workers. In past years, traffickers kept victims locked up in the brothels where they worked, but police pressure has closed the vast majority of brothels in urban areas. Without a brothel to house victims, traffickers must look for another location for victims to stay. The difficulty of concealing lock-down dormitory facilities within close-knit Japanese communities might have forced traffickers to increasingly require the cooperation of sex-workers, obliging an improvement in the conditions of sex work. In addition, restrictions on visas made workers more valuable and their escape more costly, forcing some business owners to provide better working conditions and salary. The increased presence in the industry of women holding spouse visas, who tend to be familiar with Japan as well as know their rights and some Japanese language, also may have put upward pressure on hostess-club salaries and conditions.

The number of identified victims declined for the second year in a row. Foreign embassy officials reported large decreases in the number of women seeking their assistance, pointing to improvements in working conditions as the reason why fewer women run away from their employers. Not all activists

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believe that conditions are improving. Some NGO representatives reported that conditions in many commercial sex businesses had become more restrictive than ever, and that conditions in rural areas are still abusive. Post was unable to verify these reports. NPA officials believe that there are fewer persons committing trafficking crimes in Japan.

Human trafficking in Japan is not limited to foreigners. According to one NGO, the domestic trafficking industry targeting Japanese girls and women is highly organized and lucrative for the criminal networks. Recruiters were active in subways, popular hangout spots for youth, and at schools. Victim-support groups reported that children were recruited for exploitation in child pornography or prostituted by "compensated dating" businesses.

Child Pornography remained a serious problem. Japanese law did not criminalize the possession of child pornography. The absence of a statutory basis made it difficult for police to obtain search warrants, preventing them from effectively enforcing existing child pornography laws or participating in international child pornography investigations. Internet service providers acknowledged that Japan was a hub for child pornography trade, leading to greater victimization of children both domestically and abroad. The Prime Minister and the Minister of Justice both made remarks in the Diet calling for Japan to criminalize child pornography possession, and all three major parties established project teams to review the law.

Labor trafficking remains relatively unknown in Japan. The media and NGOs reported continued abuses of the Industrial Trainee and Technical Internship Program ("foreign trainee program") including debt bondage, restriction of movement,

unpaid overtime, and fraud. The vast majority of companies employed foreign trainees appropriately, but the fact that participants in the first year of this three-year program were not protected by labor laws made them vulnerable to abuse. In December the Ministry of Justice released revisions to the guidelines governing the foreign trainee program that defined a broad list of prohibited acts. Any company found in violation of these regulations is barred from employing foreign trainees for three years, but does not face criminal penalties.

Japan continued to be proactive in addressing trafficking-in-persons. The Inter-Ministerial Liaison Committee (Task Force) on trafficking and its working level sub-committee met regularly in 2007 to monitor the implementation of "Japan's Action Plan of Measures to Combat Trafficking in Persons." The Diet provisionally approved the ratification of the UN Protocol on TIP in 2002, but some legislators continued block an anti-conspiracy law over concerns about the right to privacy, preventing approval of the umbrella document, the UN Convention on Transnational Organized Crime.

**¶C.** In April 2004, the Japanese government established the Inter-Ministerial Liaison Committee (Task Force) on TIP. Headed by the Prime Minister's Cabinet Office, this task force coordinates the TIP-related activities of governmental agencies including the Ministry of Foreign Affairs (MOFA), Ministry of Justice (MOJ), National Police Agency (NPA), and Ministry of Health, Labor and Welfare (MHLW).

**¶D.** Restrictions on long-term undercover work, wiretapping, and the use of plea-bargaining significantly limit the ability of police to investigate TIP cases. Without the information that could be gained using these techniques, police are unable to assemble evidence that would prove the complicity of business owners. The vast majority of convicted traffickers have been foreign nationals that directly managed victims.

**¶E.** The government monitors its efforts to combat trafficking both domestically and in the international community, and has made this information available in private meetings with U.S.

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and other foreign officials. The government also shared these assessments during international conferences and exchanges.

#### **¶4. INVESTIGATION AND PROSECUTION OF TRAFFICKERS**

**¶A.** Japan does not have a comprehensive anti-trafficking law. Traffickers in Japan are punished under the Penal Code, the Prostitution Prevention Law, the Labor Standards Law, and the Employment Security Law. These laws cover both internal and external trafficking.

Under Japan's civil law system, Articles 226-2 and 227 effectively prohibit harboring, transportation, provision, or obtaining a person through force or fraud, for any purpose including a commercial sex act, involuntary servitude, peonage, debt bondage, or slavery. Specifically, the law prohibits "buying or selling" a person for any purpose. As part of Chapter XXXIII of the Penal Code (Crimes of Kidnapping and Buying or Selling of Human Beings), Article 226-2 applies to victims of "force or enticement." Courts interpret buying and selling to include paying or receiving any payment for taking or transferring custody of a victim. Article 227 specifically punishes a person who "delivers, receives, transports, or hides" any person who has been a victim of "force" or "enticement" for any purpose.

Although Articles 226-2 and 227 do not use the same terminology as the TVPA, in effect they criminalize all severe forms of trafficking except crimes involving coercion and recruiting. Any crime involving coercion is criminalized

by Article 223, below. Recruiting by force, fraud, or coercion for sex trafficking is criminalized by Article 7 of the Prostitution Prevention Law, below. Recruiting by force, coercion, and possibly fraud, for any purpose, is criminalized by Article 63 of the Employment Security Law, below.

Article 223 of the Penal Code prohibits any act involving force or coercion for any purpose. Specifically, it prescribes punishment for a person who, "by intimidating another through a threat to another's life, body, freedom, reputation, or property or by use of assault" or "through a threat to the life, body, freedom, reputation, or property of the relatives of another," "causes the other to perform an act which the other person has no obligation to perform, or hinders the other from exercising his or her rights."

Sex traffickers are almost always also prosecuted under Articles 7 and 12 of the Prostitution Prevention Law, which both describe punishment for any act that forces, defrauds, or coerces a person into providing commercial sex. This includes recruitment, harboring, transportation, provision, or obtaining that person. Specifically, Article 7 prescribes punishment for a person "who induced or caused another person to conduct prostitution by deceiving or confusing that person," or by "intimidating or assaulting that person."

Article 63 of the Employment Security Law prohibits recruiting, providing, or obtaining a person through force, coercion, and possibly fraud, for work including commercial sex acts, involuntary servitude, peonage, debt bondage, or slavery. Specifically, it prescribes punishment for a person "who exchanged labor, recruited or provided workers, or engaged in these by means of physical violence, intimidation, confinement, or any other unfair restraint on the mental or physical freedom of the workers." The application of this law to recruitment through fraud is based on the interpretation that fraud is an unfair restraint on a person's mental freedom.

Article 5 of the Labor Standards Law prohibits any act that forces or coerces a person to work, including commercial sex acts, involuntary servitude, peonage, debt bondage, or slavery. This law is generally limited to acts by the employer. Specifically, the law stipulates that "An employer shall not force workers to work against their will by means of physical violence, intimidation, confinement, or any other

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unfair restraint on the mental or physical freedom of the workers."

The following laws are also available to prosecute traffickers:

Article 220 of the Penal Code prohibits the confinement of another person.

Article 225 prohibits any kidnapping act involving force or fraud for profit, marriage, etc.

Article 15 of the Labor Standards Law requires employers to clearly indicate working conditions, wages, and working hours in contracts. When the wages, working hours, or working conditions are not in compliance with the contract, the worker may return home at the employer's expense.

The Child Welfare Law, Articles 34 and 60, prescribe punishments for a person who keeps a child under his/her control for the purpose of harming the child in mind or body.

The Immigration Control and Refugee Recognition Act, Article 73-2, prescribes punishment for a person who places an alien under his control for the purpose of having the alien engage in illegal work.

The Law for Punishing Acts Related to Child Prostitution and Child Pornography, and for Protecting Children, Article 8, prescribes punishment for a person who buys or sells a child for the purpose of prostituting the child or producing child pornography.

1B. The following sentencing guidelines apply to human trafficking for both sexual and non-sexual purposes:

--Acts of trafficking carry a punishment of imprisonment with labor between one and ten years.

--When the purpose cannot be established, acts of trafficking carry a penalty of imprisonment with labor from three months to five years for an adult victim, or from three months to seven years for a child victim.

--Any person convicted of trafficking a victim to a foreign country (including transportation from an overseas country to Japan) can also be sentenced to imprisonment with labor for a minimum of two years.

--Employers convicted of exploiting forced labor (including sex work) are punishable by imprisonment with labor from one to ten years, plus a 200,000-3,000,000 yen fine (Approx. USD 2,000-30,000).

Out of 12 convictions for sex trafficking in 2007, courts sentenced seven offenders to two to four years imprisonment with labor, and five offenders received suspended sentences. Criminals sentenced to imprisonment generally serve more of their sentences in Japan than they do in the United States.

1C. Labor trafficking offenses are punished under the Penal Code, the Labor Standards Law, and the Employment Security Law, as described in paragraph 'A' above. The punishments for these offenses are described in paragraph 'B'.

Japanese law does not appear to provide punishment for labor recruiters using knowingly fraudulent or deceptive offers that result in workers being trafficked. See also 'A'. According to the inter-agency task force, "a labor recruiter in other countries who is engaged in recruitment using knowingly fraudulent or deceptive offers that result in workers being exploited in Japan shall be punished if he/she traffics in persons or is an accomplice of the labor exploitation committed in Japan." Japanese law does punish employers or labor agents who confiscate passports, switch contracts without the worker's consent, or withhold payment of salaries.

The two labor exploitation cases that were pending last year resulted in convictions. Both offenders were sentenced to two years imprisonment with labor. Criminals sentenced to

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imprisonment generally serve more of their sentences in Japan than they do in the United States. Although there are currently investigations of possible labor exploitation pending, there are no cases pending in courts.

1D. The minimum sentence for trafficking-in-persons is generally shorter than the minimum sentence for rape. The punishment for rape in Japan is imprisonment for at least three years and up to fifteen years. The punishment for sexual assault is six months to seven years imprisonment.

1E. Prostitution is illegal in Japan, but narrowly defined. Many sexual acts for payment that are considered to be prostitution in the U.S. are legal in Japan, regulated as "restricted sex-related businesses." Under the Prostitution Prevention Law, both soliciting the services of a prostitute and working as a prostitute are prohibited, but not criminal. Activities facilitating prostitution, including those of brothel owner, operator, pimp and enforcer, are criminalized and carry punishments including incarceration and fines.

1F. The Ministry of Justice provided the following prosecution statistics for 2007 trafficking cases:

Persons charged	41
Cases sent to the Prosecutor:	12
Cases actually prosecuted:	11

Please see paragraphs 'B' and 'C' for information about sentencing. The government criminally prosecutes employers who switch contracts or terms of employment without a worker's consent, use abuse or threats of abuse to keep workers in a state of service, or withhold payment of salaries to keep workers in a state of service.

**I.G.** The National Police Agency, Immigration Bureaus, and Public Prosecutor's Offices conduct regular training for their officers on the recognition, investigation, and prosecution of trafficking crimes. Representatives from international organizations and NGOs occasionally participate in the training. The Ministry of Foreign Affairs also includes human trafficking in its consular officer training curriculum, emphasizing the role of careful visa adjudication as a preventive measure.

**I.H.** Japanese law enforcement authorities actively cooperate with foreign governments on investigations. Cooperation with Thai authorities led to the deportation and subsequent arrest of a Japanese broker living in Thailand, and Indonesian authorities were able to use information provided by Japanese police to arrest a broker that had been sending victims to Japan. Japan participates in a number of trafficking-related international exchanges, including frequent information exchanges via the International Criminal Police Organization.

**I.I.** The government can extradite trafficking offenders in accordance with the Law of Extradition and bilateral extradition treaties. To date, there has never been a request from a foreign country to extradite a suspected human trafficker. Article 2, item 9 of the Law of Extradition prohibits the extradition of Japanese nationals unless a specific extradition treaty exists. Japan has concluded extradition treaties with the United States and Korea. If an extradition treaty does not exist, under Japanese law Japanese nationals may still be prosecuted in Japan for crimes committed in a foreign country, including trafficking-in-persons.

**I.J.** There was no conclusive evidence of direct government involvement in human trafficking.

**I.K.** N/A

**I.L.** There were no known cases of Japanese personnel involved in international peacekeeping efforts committing trafficking crimes or exploiting victims of trafficking.

**I.M.** Japan is a source country for child sex tourism.

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Japanese courts have extraterritorial jurisdiction over a Japanese national who has sexual intercourse with a minor in a foreign country in violation of the Act on Punishment of Activities Relating to Child Prostitution and Child Pornography and the Protection of Children. There were no Japanese nationals prosecuted or convicted under this extraterritorial provision in 2007.

#### **I.5. PROTECTION AND ASSISTANCE TO VICTIMS**

**I.A.** Article 50 of the Immigration Control and Refugee Recognition Act provides that the Minister of Justice may grant "special permission to stay" to persons "under the control of another due to trafficking in persons." This status is granted only to persons recognized as trafficking victims by immigration authorities, and prohibits victims from operating businesses or earning income. Victims can apply for a change in status to one that permits employment and longer-term residence. According to NGO reports, it is

unlikely that victims were aware of this right.

IB. The Ministry of Health, Labour, and Welfare's prefecture-level network of Women's Consulting Center (WCC) shelters were accessible to trafficking victims of any nationality. Originally established by the Anti-Prostitution Law as facilities to provide services and care to Japanese-nationality prostitutes, the shelters are now used primarily to protect victims of domestic violence. The central government pays half the cost of a trafficking victim's stay in a WCC, the rest is borne by the shelter and/or local government. Forty victims were protected in WCCs from January to December, 2007. These victims had access to subsidized medical care. They also had access to legal counsel in principle, but the government made little effort to inform victims of this right. The government pays for psychological care, but psychotherapists rarely had foreign language ability. Although funding is also provided for interpretation services, WCC staff confirmed that these interpreters did not have training in victim counseling, and private shelter operators questioned the effectiveness of victim counseling via interpretation.

IC. The Japanese government earmarks approximately USD 100,000 each year for subsidizing victims' care in private NGO shelters that specialize in assisting victims of human trafficking. Japan also gave USD 300,000 to IOM in 2007 for repatriation and reintegration assistance, and USD 79,000 to a Thai NGO to construct a dormitory for hill tribe students that are vulnerable to trafficking.

ID. Although police and immigration authorities all have regular trafficking-related training programs in place, the government did not have a formal system for identifying victims of trafficking. According to a non-paper received from the interagency task force, victim identification is conducted by police and immigration officers "through thoughtful interviews," using questions that meet the same standard as U.S. or IOM victim identification questionnaires.

The Japanese government intends to distribute 1,000 copies of "The IOM handbook on Direct Assistance to Victims of Trafficking" to "relevant ministries and agencies" in March 2008. The government officially recognized 43 victims in 2007. Awareness of the procedures for transferring a victim from law enforcement custody into the protection of a shelter seemed to be widespread. Forty victims were protected in WCCs in 2007.

IE. When raiding sex-industry businesses, law enforcement officials interviewed workers to determine whether any were victims of trafficking. Because the government did not have formal victim identification procedures, it was difficult to evaluate the efficacy of these interviews. See also 'D'.

IF. The government respected the rights of recognized victims. The Embassy did not receive any reports of women who were not recognized by the government as victims but were otherwise classifiable as such being detained, jailed, fined, or otherwise prosecuted.

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IG. The government encouraged victims to assist in the investigation and prosecution of trafficking, but did not provide victims with an environment conducive to cooperation.

"Japan's Action Plan of Measures to Combat Trafficking in Persons" does not mention encouraging TIP victims to assist in investigations or prosecutions. The MHLW-distributed "Manual for Assisting Trafficking Victims in Women's Consulting Centers" directs WCCs to "coordinate with police and other agencies" but does not give any clear procedures for assisting victims in filing civil or criminal complaints against their alleged traffickers. The guidelines only apply "if a victim wants to prosecute," but do not give any instructions for encouraging victims to do so. According to a survey of WCC operators, neither WCC staff members nor

victims were aware that free legal assistance was available. To date there have been no cases where legal assistance was provided to a victim by the government. Police frequently sought victims' cooperation to build cases, but the lack of native-language counseling, the relative confinement of the WCCs, and the inability of victims to generate income led most victims to want to repatriate as quickly as possible.

IH. WCCs and NGO shelters employed security guards, took steps to conceal the location of their facilities, and worked with local police to ensure the protection of victims. The central government shared the cost of providing security at WCCs. If the police perceive a possible threat to a victim, they may send the victim to another city or prefecture for shelter. There are a number of provisions in Japanese law to protect the anonymity of a victim during courtroom proceedings when there is a threat to his or her safety. If the victim is under 18 years old, the WCC will work with a local Child Guidance Center to provide shelter and services to the victim. See also 'B'.

II. The Ministry of Foreign Affairs provided training for Consular Officers on trafficking in persons, including victim recognition and the preventative role of careful visa adjudication. There were no reported cases of Japanese nationals being trafficked outside of Japan. The Japanese government maintained relationships with local NGOs in foreign countries to coordinate prevention efforts. See also 'C'. Japan worked with IOM to provide repatriation and reintegration assistance. IOM received USD 300,000 from the Japanese government in 2007 for this purpose.

IJ. There were no reported cases of Japanese nationals being repatriated to Japan as victims of trafficking.

IK. Following are some of the NGOs and IOs that work with trafficking victims in Japan:

In addition to providing repatriation and reintegration assistance through a grant by Japan, IOM provides victim interview services on a voluntary basis on request, conducts case-worker training, and runs awareness-raising campaigns.

The U.S.-based NGO Polaris Project operates a telephone helpline and provides victim services at limited temporary shelter facilities. Polaris also conducts regular awareness-raising campaigns.

HELP and Saalaa both operate shelters and hotlines.

Friendship Asia House Cosmos operates a shelter.

The Japan Network Against Trafficking in Persons (JNATIP) is an umbrella organization for NGO representatives, academics, and lawyers that conduct research on trafficking in persons, as well as awareness-raising and advocacy campaigns.

Amnesty International Japan conducts awareness-raising and advocacy campaigns in support of potential victims of labor trafficking.

## I6. PREVENTION

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IA. The government recognizes that trafficking is a problem in Japan and understands that human trafficking is an egregious infringement of human rights.

IB. To raise awareness about human trafficking inside Japan, the Ministry of Foreign Affairs and the National Police Agency distributed more than 500,000 leaflets, brochures, and pamphlets in 2007 that describe the trauma of trafficking-in-persons, report what the government is doing to combat trafficking, and explain how a victim can find assistance. These materials have been distributed to

immigration offices and police stations throughout Japan. The pamphlets also urge Japanese nationals to help victims and gives telephone numbers for the police, immigration bureau offices, embassies, and NGO shelters. In addition, the Cabinet Office distributed 25,000 posters stating that "Trafficking-in-persons is a grave violation of human rights" and "Prostitution is a root cause of trafficking-in-persons."

These posters were circulated nationwide to local governments, police stations, and immigration bureau offices.

The Japanese government also hosted three information-sharing conferences including trafficking in persons discussions that involved participation from all relevant agencies, NGOs, IOs, and the diplomatic community.

**¶C.** The relationship between the government and NGOs improved during the last year. At NPA-organized conferences, NGO representatives were given wide latitude in making presentations to the diplomatic, NGO, and law enforcement community. NPA, MOFA, and MHLW officials also regularly attended meetings and conferences on human trafficking organized by NGOs or IOM, and invite representatives from those organizations to attend government trainings and conferences. The government also sponsored a JNATIP member to attend the UN Global Initiative to Fight Trafficking conference in Vienna. Unlike in 2006, NGOs were once again utilized to provide services or shelter to victims in 2007. The MHLW also surveyed the NGO community this year to identify interpreters with experience or training in providing counseling and psychological care to victims of trafficking. The MHLW has not yet established a system for making this resource available to WCCs nation-wide. Although IOM reported that the Tokyo Immigration Bureau occasionally asked IOM case-workers to conduct victim identification interviews, the standard continued to be that victim identification was conducted by government officials.

**¶D.** Immigration officials screen for victims of trafficking via Pre-Clearance Systems at some airports in Taiwan and Korea, and a Secondary Examination System at the main airports in Japan. In addition, Japan stations document experts to airports in Thailand as liaison officers where they train Thai officials to recognize fraudulent Japanese travel documents. MOFA Consular Affairs Bureau officials examine visa application, issuance, and refusal patterns from source countries such as Indonesia and Thailand to enact safeguards to prevent potential victims of trafficking from getting entry visas. The number of Entertainer Visas issued to Filipinas fell from 85,000 in 2004 to 5,700 in 2007. Entertainer Visas issued to Indonesians fell from 4,000 in 2005 to 600 in 2007. Issuances of Spouse Visas to Filipinas, which had been increasing annually until last year, fell from 7,300 in 2006 to 6,100 in 2007.

**¶E.** As noted in paragraph 3, Japan established the Prime Minister's Inter-Ministerial Liaison Committee (Task Force) on Trafficking in Persons in April 2004 under the guidance of the Prime Minister's Office, which coordinates TIP-related activities among the four relevant governmental agencies: MOFA, MOJ, NPA, and MHLW. The National Personnel Authority and the National Public Service Ethics Board are charged with preventing and investigating corruption among government officials in Japan.

**¶F.** Japan's "Action Plan of Measures to Combat Trafficking in Persons" was released in December 2004. The Action Plan established measures to prevent and "eradicate" (prosecute) trafficking in persons, as well as protect victims. Civil

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society representatives served as advisors to the Inter-Ministerial TIP task force, which formulated the National Action Plan. The Government posted the NAP on the Internet and engages in numerous public activities both domestically and internationally to publicize the plan. Specific venues used to disseminate information on the NAP are listed above in 'B'.

IG. Measures to reduce demand for commercial sex focused on prosecution. Police continued the wide-spread crackdowns on red-light districts under the Anti-Prostitution Law and the Law on Control and Improvement of Amusement Businesses. The increase in police enforcement has made a visible impact on the sex industry, driving the majority of traditional brothels in major metropolitan areas out of business. The Cabinet Office's poster campaign described above in 'B' is aimed at reducing demand, unequivocally linking prostitution with trafficking in persons.

IH. To warn potential child sex tourists about the prosecution they will face in Japan, MOFA revised the government's handbook for international travelers to contain an advisory that persons who break laws can be prosecuted domestically. The warning specifically mentions prostitution, child prostitution, and child pornography. In addition, the Japan Association of Travel Agents, the Overseas Tour Operators Association of Japan, and 60 of Japan's biggest tour companies are signatory to the Code of Conduct to Protect Children from Sexual Exploitation in Travel and Tourism. The Ministry of Justice prepared a poster warning potential sex tourism offenders of prosecution for display in airport departure lounges, but they had not yet been posted as of this writing.

II. Japan implements the same measures to prevent its nationals who are deployed abroad from engaging in or facilitating trafficking as it does for private citizens. See also 'G' and 'H'. There were no reports of Japanese nationals deployed as a part of a peacekeeping or other similar mission engaging in or facilitating severe forms of trafficking or exploiting victims of such trafficking.

#### I7. TIP HERO

Embassy Tokyo nominates Kaori Mutoh as a TIP Hero. Mutoh is the director of Saalaa, a shelter that provides housing as well as a wide range of other services to trafficking victims. After joining Saalaa in 1997, Ms. Mutoh became the Secretary General a year later. Saalaa also operates a

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victim hotline and conducts a variety of awareness-raising campaigns targeting government officials, care providers, and potential victims. Ms. Mutoh is a polished public speaker - she receives regular invitations to give presentations about victim care, from NGOs, IOs, and the Japanese government. In an environment where the government focuses heavily on government shelters to provide victim care, the fact that many of these shelters automatically refer victims to Saalaa is a testament to the confidence that the anti-trafficking community has in the organization that she manages. Embassy officers are consistently impressed with her unsurpassed understanding of the physical, emotional, and psychological needs of victims, and her ability to effectively articulate those needs to government officials. Ms. Mutoh's thorough knowledge of victim care, her dedicated advocacy on behalf of victims, and her skilled management of Saalaa make her a true hero in the fight against trafficking in persons.

SCHIEFFER